

From: "Sheldrake, Sean"
To: greenfield.sarah@deq.state.or.us
CC: madi.novak@state.or.us
"Young, Hunter" <Young.Hunter@epa.gov>
"Scott Coffey" <coffeyse@cdmsmith.com>
Date: 10/24/2019 7:30:03 AM
Subject: Fwd: RD/RA sequencing draft memo, MOU CONFIDENTIAL email and attachment
Attachments: [DEQ RDRA Sequencing Comments_102319.pdf](#)
[ATT00001.htm](#)

Thanks very much Sarah and Madi.

S

Sean Sheldrake, RPM
Unit Diving Officer

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Sent from my iPhone

Begin forwarded message:

From: GREENFIELD Sarah <Sarah.GREENFIELD@state.or.us>
Date: October 23, 2019 at 4:34:51 PM PDT
To: "Sheldrake, Sean" <sheldrake.sean@epa.gov>
Cc: "madi.novak@state.or.us" <madi.novak@state.or.us>
Subject: RE: RD/RA sequencing draft memo, MOU CONFIDENTIAL email and attachment

\u-257 ?

Sean –

DEQ's comments are attached for EPA's consideration. Please let me know if you have any questions.

Thanks,

Vacation Notice: I will be out of the office Nov 11-18.

Sarah Greenfield, ODEQ

700 NE Multnomah Street, Suite 600,
Portland, OR 97232
(503) 229-5245

From: Sheldrake, Sean <sheldrake.sean@epa.gov>
Sent: Friday, October 04, 2019 9:38 AM
To: LIVERMAN Alex <liverman.alex@deq.state.or.us>; BAYUK Dana <BAYUK.Dana@deq.state.or.us>;
brandy.humphreys@grandronde.org; Scott Coffey <coffeyse@cdmsmith.com>; Cora, Lori <Cora.Lori@epa.gov>;
Courtney Johnson (courtney@crag.org) <courtney@crag.org>; Zhen, Davis <Zhen.Davis@epa.gov>; Deirdre F.
Donahue (deirdre.donahue@sol.doi.gov) <deirdre.donahue@sol.doi.gov>; dextr@yakamafish-nsn.gov; Ebright,
Stephanie <EBRIGHT.STEPHANIE@EPA.GOV>; elena@ridolfi.com; DeMaria, Eva <DeMaria.Eva@epa.gov>; Gail
Fricano (gfricano@indecon.com) <gfricano@indecon.com>; Genevieve Angle - NOAA-NMFS
(Genevieve.Angle@noaa.gov) <Genevieve.Angle@noaa.gov>; Gustavson, Karl <Gustavson.Karl@epa.gov>;

holly.partridge@grandronde.org; Young, Hunter <Young.Hunter@epa.gov>; jennifer.graham@ctwsbnr.org; Jennifer Hart (jhart@indecon.com) <jhart@indecon.com>; Jeremy_Buck@fws.gov; Jessica Winter-Stoltzman (jessica@ridolfi.com) <jessica@ridolfi.com>; Joe Pitt (joepitt@ctuir.org) <joepitt@ctuir.org>; Clark, Josie <Clark.Josie@epa.gov>; jweis@hk-law.com; PARRETT Kevin <Parrett.Kevin@deq.state.or.us>; Knudsen, Laura <Knudsen.Laura@epa.gov>; Peterson, Lance <peterstone@cdmsmith.com>; shil@yakamafish-nsn.gov; lauren.senkyr@noaa.gov; NOVAK Madi <NOVAK.Madi@deq.state.or.us>; Mairs, Stephanie <Mairs.Stephanie@epa.gov>; Matt Johnson - JD Law Umatilla rep. (MatthewJohnson@ctuir.org) <MatthewJohnson@ctuir.org>; tosm@yakamafish-nsn.gov; Michel L. Wigney (MLW@karnopp.com) <MLW@karnopp.com>; NaomiStacy@ctuir.org; Nina Gal (ngal@indecon.com) <ngal@indecon.com>; paul.seidel@state.or.us; Rachel DelVecchio (rdelvecchio@indecon.com) <rdelvecchio@indecon.com>; Robert Brunoe (robert.brunoe@ctwsbnr.org) <robert.brunoe@ctwsbnr.org>; Robert.Neely@noaa.gov; rose@yakamafish-nsn.gov; GREENFIELD Sarah <Greenfield.Sarah@deq.state.or.us>; SCHATZ Jeff <SCHATZ.Jeff@deq.state.or.us>; Sheldrake, Sean <sheldrake.sean@epa.gov>; Skadowski, Suzanne <Skadowski.Suzanne@epa.gov>; Buerger, Ted <ted_buerger@fws.gov>; teresa@avocetconsulting.com; Vickstrom, Kyle E. (vickstromke@cdmsmith.com) <vickstromke@cdmsmith.com>

Subject: RD/RA sequencing draft memo, MOU CONFIDENTIAL email and attachment

Hello everyone,

Please see the attached draft sequencing memo. This memo is meant to highlight elements that will possibly expedite (or slow down) the start and duration of cleanup for planning purposes, as well as highlight fundamentals EPA sees to minimizing undesirable outcomes of a poorly sequenced cleanup, such as recontamination. As you can see in reading the memo, there are a number of variables that will impact our RA start date from negotiation scheduling to EPA resourcing, feedback from designers on the 3.5 year timeframe, and more.

Such that EPA may brief decision makers with TCT feedback, please provide your comments for consideration within two weeks.

Thank you.

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VI. CONFIDENTIALITY

The Parties recognize that to effectively and efficiently exercise their authorities concerning the Site, their counsel, employees, and consultants may exchange documents and information subject to attorney-client privilege, attorney work product, and other forms of privilege. The Parties intend to keep certain information shared under this MOU confidential. To avoid interference with a potential enforcement proceeding in which the parties have a common interest, the parties will protect from disclosure any law enforcement records exchanged in anticipation of litigation. The Parties agree to protect these privileges, to the full extent permissible under applicable law. The Parties will make every effort in accordance with law to maintain the confidentiality of cultural resource information that a signatory Tribe identifies as sensitive. A Party who cannot protect the confidentiality of a document will decline and/or return the document to the originator. This provision shall remain in effect after this MOU terminates.

Whenever sharing information deemed confidential, the Party shall clearly mark any information to which it asserts a privilege as "Privileged and Confidential Information Do Not Release Without Authorization." The Party receiving information so marked agrees not to release, or allow to be released, such information to a non-party, to the extent permitted by law. The Parties agree that failure to so mark information developed or shared under this Agreement does not preclude the parties from asserting the protections under the Freedom of Information Act or Oregon law, or from asserting privileges and exceptions in seeking to protect the information from discovery.

Sean Sheldrake
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